

PD - 0478-20
NO. 02-18-00434-CR

STATE OF TEXAS

§

IN THE FILED
COURT OF CRIMINAL APPEALS
12/17/2020
DEANA WILLIAMSON, CLERK
COURT OF

VS.

§

ROBERT F. HALLMAN

§

CRIMINAL APPEALS

RESPONDENT'S MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE BRIEF

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Comes now Respondent, and files this Motion for the Court to extend the time for filing his response brief to the State's brief on their granted PDR and shows the Court the following:

1. Appellant was convicted of Agg Sexual Aslt Child Age Case Numbers 1548964, styled "The State of Texas v. Robert F. Hallman" in the Criminal District Court No.1 of Tarrant County, Texas. Appellant was sentenced to Life confinement in the Institutional Division of the Texas Department of Corrections on September 20, 2018.

2. Appeal was perfected by notice of appeal filed on September 27, 2018. A motion for new trial was filed. Appellant's appeal was Reversed and Remanded by the Second Court of Appeals on May 7, 2020. The State's PDR was granted and brief filed on November 17, 2020.

3. Respondent's response brief is due in the Court of Criminal Appeals on December 16, 2020.

4. Appellant seeks an extension of sixty days within which to file the PDR. There have been no previous extensions of time requested. The submission date in this case is not set. Therefore, this requested extension would not delay submission.

5. This extension is not requested for purposes of delay but rather to adequately brief the legal issues for appeal and insure justice is done.

6. The state's brief was filed November 17, 2020, and a continuance is necessary for the following:

Since this date, counsel for Appellant has been working on Briefs and PDR cases:

“The State of Texas vs. Cedric Sibaluca” in Court of Criminal Appeals, a Petition for Discretionary Review; “The State of Texas vs. Shannon Labrice Williams” in the Second Court of Appeals. In addition, issues arising from family health and caretaking necessities requiring travel out of state due to the Covid 19 pandemic have severely limited counsel's time.

Because counsel will be required to be out of the state for an extended period, an extension of sixty days is being requested and will be necessary and adequate to allow the completion of the brief.

WHEREFORE, ALL PREMISES CONSIDERED, Appellant prays that the Court grant an extension of sixty days.

Respectfully submitted,

Lisa Mullen

/s/ Lisa Mullen

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CERTIFICATE OF SERVICE

This is to certify that on December 16, 2020 a true and correct copy of the above and foregoing document was served with the Tarrant County District Attorney's Office, 401 West Belknap, Fort Worth, Texas, 76196, by efile.

Lisa Mullen

/s/Lisa Mullen
Attorney at Law

CERTIFICATE OF CONFERENCE

I, Lisa Mullen, certify that I have conferred with Counsel for the State and they do not oppose the granting of Appellant's Motion for Extension of Time to file Appellant's PDR.

Lisa Mullen

/s/Lisa Mullen

AFFIDAVIT

THE STATE OF TEXAS

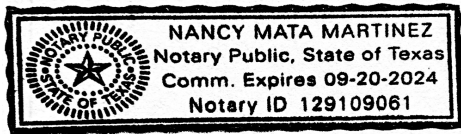
COUNTY OF TARRANT

I, Lisa Mullen, Attorney at Law, being duly sworn, on my oath say that the facts stated in the foregoing motion are true and correct to the best of my knowledge.

Lisa Mullen

/s/Lisa Mullen
Attorney at Law
State Bar Number: 03254375
lisa@mullenlawoffice.com

Subscribed to and sworn before me on this date: December 16, 2020.



Nancy Mata Martinez

Nancy Mata Martinez
Notary Public for The State

My Commission expires: September 20, 2024

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Associated Case Party: ROBERT HALLMAN

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